

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

12 CV 7486

Sean G. Fellen

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

Contemporary Security ServicesJury Trial: ☐ Yes ☒ No  
(check one)

(In the space above enter the full name(s) of the defendant(s).  
If you cannot fit the names of all of the defendants in the space  
provided, please write "see attached" in the space above and  
attach an additional sheet of paper with the full list of names.  
Typically, the company or organization named in your charge  
to the Equal Employment Opportunity Commission should be  
named as a defendant. Addresses should not be included here.)



This action is brought for discrimination in employment pursuant to: (check only those that apply)

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).  
*NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.*
- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.  
*NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.*
- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.  
*NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.*
- ☐ New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).
- ☐ New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).

**I. Parties in this complaint:**

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Sean Felder  
 Street Address 2579 28th Ave  
 County, City New York  
 State & Zip Code New York 10030  
 Telephone Number 646-673-1447

- B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name Contemporary Security Services  
 Street Address ~~1811~~ 17101 Superior ST (ATT COMMUNITY COLLEGE)  
 County, City Northridge  
 State & Zip Code Northridge, CA 91325  
 Telephone Number 1-818-485-5150

- C. The address at which I sought employment or was employed by the defendant(s) is:

Employer US Open Tennis Billie Jean Tennis Center  
 Street Address Flushing Meadows Park - Corona Park  
 County, City Queens  
 State & Zip Code N.Y. 11368  
 Telephone Number 718-620-6264

**II. Statement of Claim:**

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. The discriminatory conduct of which I complain in this action includes: (check only those that apply)

☒ Failure to hire me.  
☐ Termination of my employment.  
☐ Failure to promote me.  
☐ Failure to accommodate my disability.  
☐ Unequal terms and conditions of my employment.

☒ Retaliation.

Other acts (specify): \_\_\_\_\_

**Note:** Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

B. It is my best recollection that the alleged discriminatory acts occurred on: 8/3/10.  
Date(s)

C. I believe that defendant(s) (check one):

☒ is still committing these acts against me.

\_\_\_\_\_ is not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check only those that apply and explain):

☐ race \_\_\_\_\_ ☒ color \_\_\_\_\_

☐ gender/sex \_\_\_\_\_ ☐ religion \_\_\_\_\_

☐ national origin \_\_\_\_\_

☐ age. My date of birth is 10/27/67 (Give your date of birth only if you are asserting a claim of age discrimination.)

☐ disability or perceived disability, \_\_\_\_\_ (specify)

E. The facts of my case are as follow (attach additional sheets as necessary):

I am owed lost wages, backpay from CSC Security. I worked  
Seasonal security 8 yrs at US Open Tennis without any incidents.  
CSC VP Scott Pennington denied me work 8/3/10, berating me and  
created a hostile working environment, slave labor at a \$750 million  
dollar revenue, high profile sporting event! I have witnesses, and  
seek damages, CSC made false allegations against my integrity  
and character.

**Note:** As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights or the New York City Commission on Human Rights.

### III. Exhaustion of Federal Administrative Remedies:

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendant's alleged discriminatory conduct on: \_\_\_\_\_ (Date).

B. The Equal Employment Opportunity Commission (*check one*):

☐ has not issued a Notice of Right to Sue letter.  
☒ issued a Notice of Right to Sue letter, which I received on \_\_\_\_\_ (Date).

*Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.*

## C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (*check one*):

☐ 60 days or more have elapsed.  
☐ less than 60 days have elapsed.

## IV. Relief:

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: \_\_\_\_\_

I am seeking \$1 million in damages  
based on emotional distress, lost of income, CSC Security owes me  
backpay, lied about my integrity and character!  
 (Describe relief sought, including amount of damages, if any, and the basis for such relief.)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature of Plaintiff

Sean Felder

Address

2579 D8th Ave

Harlem NY 10030

Telephone Number

646-673-1917

Fax Number (if you have one)

\_\_\_\_\_

## DISMISSAL AND NOTICE OF RIGHTS

To: **Sean Felder**  
**2579 8th Avenue**  
**New York, NY 10030**

From: **New York District Office**  
**33 Whitehall Street**  
**5th Floor**  
**New York, NY 10004**



On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

**16G-2010-04925**

**Holly M. Woodyard,**  
**Investigator**

**(212) 336-3643**

**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

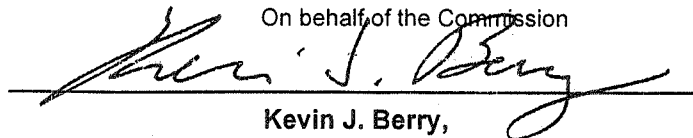
**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



**Kevin J. Berry,**  
**District Director**

**August 28, 2012**

(Date Mailed)

Enclosures(s)

cc:

**CONTEMPORARY SECURITY SERVICES**  
**Attn: Director of Human Resources**  
**17101 Superior Street**  
**Northridge, CA 91325**



**FACTS ABOUT FILING  
AN EMPLOYMENT DISCRIMINATION SUIT  
IN FEDERAL COURT IN NEW YORK STATE**

You have received a document which is the final determination or other final action of the Commission. This ends our handling of your charge. The Commission's action is effective upon receipt. Now, you must decide whether you want to file a private lawsuit in court. This fact sheet answers several commonly asked questions about filing a private lawsuit.

**WHERE SHOULD I FILE MY LAWSUIT?**

Federal District Courts have strict rules concerning where you may file a suit. You may file a lawsuit against the respondent (employer, union, or employment agency) named in your charge. The appropriate court is the district court which covers either the county where the respondent is located or the county where the alleged act of discrimination occurred. New York State has four federal districts:

- The United States District Court for the Southern District of New York is located at 500 Pearl Street in Manhattan. It covers the counties of Bronx, Dutchess, New York (Manhattan), Orange, Putnam, Rockland, Sullivan, and Westchester. (212) 805-0136 <http://www.nysd.uscourts.gov>
- The United States District Court for the Eastern District of New York is located at 225 Cadman Plaza in Brooklyn and covers the counties of Kings (Brooklyn), Nassau, Queens, Richmond (Staten Island), and Suffolk. (718) 613-2600 <http://www.nyed.uscourts.gov>
- The United States District Court for the Western District of New York is located at 68 Court Street in Buffalo. It covers the counties of Allegheny, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates. (716) 551-4211 <http://www.nywd.uscourts.gov>
- The United States District Court for the Northern District of New York is located at 100 South Clinton Street in Syracuse and covers the counties of Albany, Broome, Cayuga, Chanango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onandaga, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Tioga, Tompkins, Ulster, Warren, and Washington. This District Court's pro Se Attorney has offices at 10 Broad Street in Utica New York. (315) 234-8500 <http://www.nynd.uscourts.gov>

**WHEN MUST I FILE MY LAWSUIT?**

Your private lawsuit must be filed in U.S. District Court within 90 days of the date you receive the enclosed final action. Once this 90 day period is over, unless you have filed suit, you will have lost your right to sue.

(Over)



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN  
ATTORNEY GENERAL

EXECUTIVE OFFICE

September 18, 2012

Sean Felder  
2579 D 8<sup>th</sup> Avenue  
New York, NY 10030

Dear Mr. Felder:

Thank you for your recent correspondence, and for making me aware of your concerns regarding CSC Security. I appreciate your views on this important issue. I will certainly keep these comments in mind as I continue to fight for your rights, and policies that will benefit all New Yorkers.

Thank you for contacting me to share your views, and I welcome your continued input.

Sincerely,

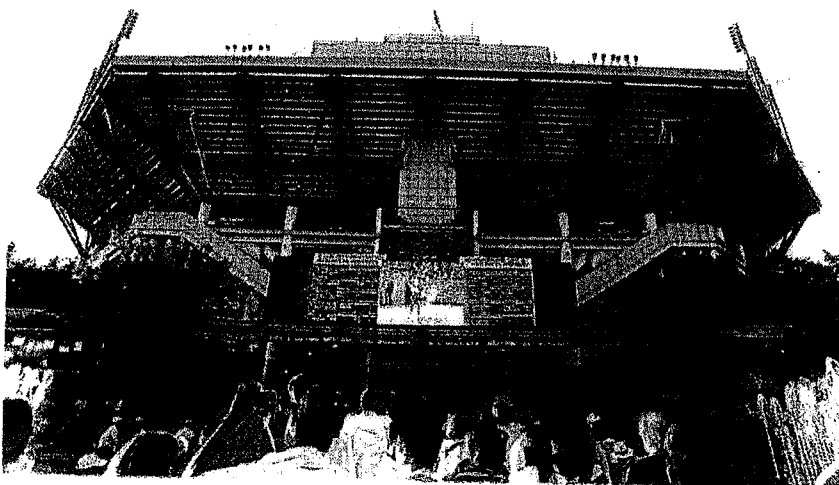
A handwritten signature in black ink, appearing to read "Eric Schneiderman".

ERIC T. SCHNEIDERMAN

Log #: 12-21940

Working security at the glamorous event sucks, apparently **BY GRAHAM RAYMAN**

**T**he U.S. Open tennis tournament is probably New York City's most high-profile annual event—worth about \$750 million in revenue. ¶ But what's it like to work security during those three weeks in Flushing Meadows? Well, based on what a number of former guards are telling us, it's no stroll in the park.



**Low pay, blistering heat, no peeing**

From 16-hour shifts without bathroom breaks to racial remarks from bosses to ever-shrinking paychecks to only getting one uniform shirt for the whole time, the job sounds pretty unpleasant.

Ten former U.S. Open supervisors and guards—who were employed by massive Northridge, California-based security conglomerate Contemporary Services Corporation—dished to the *Voice* about the travails of working the Grand Slam event, which ends this year on September 9.

CSC, they say, makes guards work ridiculous hours in intense heat, for what in the entertainment-security industry is seen as comparably low money. At times, guards passed out. Others got fired for leaving their posts to urinate. They also claim that some of the people working the event do not have required state security licenses.

Former CSC supervisor Sean Felder, a veteran security professional from Harlem who has worked at many of the city's top venues, has filed a complaint with the New York state inspector general's office over what he alleges are unfair labor practices and racial discrimination. He claims that CSC denied him work to retaliate against him for complaining to the United States Tennis Association, which oversees the event. Before he was let go, Felder had worked at the U.S. Open for eight years.

"Guards didn't get paid for hours they worked, they worked 16 hours without a break, there was favoritism," says Felder, who has escorted numerous athletes and entertainers during his career and works regularly at other high-profile venues.

"Mr. Felder has a history of writing nu-

merous complaints, and ultimately his complaints were dismissed," said CSC general counsel Jim Service.

Referring to the complaints by other workers, Service says: "I have no information on any of those complaints. If they want to file formal complaints with us, we would be happy to look into them."

Nevin Reid, 32, of the Bronx, worked at the Open last year and in 2010. He says guards sometimes passed out from having been left on post for so long in the heat.

"They had to call the paramedics for some of them," he says. "If you had to go to the bathroom, you had to hold it. Some people who went to go piss were terminated for leaving their post."

Reid also said supervisors were verbally abusive, and arguments erupted and sometimes led to pushing and shoving.

**'THE U.S. OPEN PAYS THE LEAST, [WITH] ALL THESE CELEBRITIES.'**

Reid says he was making \$9 an hour in 2010, and in 2011, the wage was lowered to \$8 an hour. By 2012, he had a full-time job in a nursing home and didn't think the money was worth the trouble.

Reid says he was called a "nigger," by a white supervisor, who he said was a retired police officer from outside New York. "I went into a rage," Reid

Reid says he complained about some of these issues to upper-level managers, but he was basically ignored. He complained to USTA and got "the runaround."

"What was hard about it was the bs you had to go through with some of the supervisors," Reid says.

Sham Thompson, a veteran security professional who has protected big-name performers, worked at the Open for three years until he says he was dismissed for being "too big" to escort players.

"I went from being a supervisor to being too big to be on the court," Thompson says. "I basically got shunned, and I am still trying to figure out what my weight had to do with working security."

Thompson says his hourly wage declined every year, a claim echoed by other former guards.

Darryl Johnson, another veteran security guard who has worked many high-profile events, says there was favoritism in assigning security posts that seemed to follow racial lines.

"White employees got better assignments than black employees," he says.

Johnson also said that commonly, the Open would end, and CSC still owed money to workers. "You work 16-hour days until 1 or 2 in the morning, and then they act like they don't want to pay you for those extra hours," he says. "One year, they owed me \$200 after the event was over, and I tried to get it, and finally, I was like, they got over on me. They still owe me money."

Last, we spoke with a veteran New York City Correction officer who worked for CSC at the U.S. Open in 2009 and 2010. He says he was a player escort, but he stopped when the pay dropped. He says he routinely makes \$25 to \$30 an hour at other events, but the pay at the Open is less than half of that.

"The U.S. Open pays the least, and you have the world's greatest tennis players and all these celebrities," says the officer, who requested anonymity.

We also heard repeatedly that CSC gave its employees a single shirt to wear for the entire event. That meant after those long shifts, they had to go home and wash it every day.

And then there is the parking issue. The Correction officer says that though many U.S. Open workers get parking passes, security guards don't. They had to either pay the civilian rate or park somewhere else and take the subway in.

"Again, you're treating security badly," he says. "That job was strange. It's not something I would tell other people to do."